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**State Bar Court of California**  
**Hearing Department**  
**Los Angeles**

Counsel For The State Bar  <b>Larry DeSha</b> <b>Deputy Trial Counsel</b> <b>1149 S. Hill Street</b> <b>Los Angeles, CA 90015</b> <b>(213) 765-1336</b>  Bar # <b>117910</b>	Case Number (s)  <b>07-O-13469-DFM</b>	(for Court's use)  <div align="center"> <b>PUBLIC MATTER</b>   <b>FILED</b>   <b>MAY 04 2010</b>   <b>STATE BAR COURT</b>  <b>CLERK'S OFFICE</b>  <b>LOS ANGELES</b> </div>
Counsel For Respondent  <b>MARGOLIS &amp; MARGOLIS LLP</b> <b>Arthur L. Margolis</b> <b>2000 Riverside Drive</b> <b>Los Angeles, CA 90039-3758</b> <b>(323) 953-8996</b>	Submitted to: <b>Settlement Judge</b>  STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING  <b>STAYED SUSPENSION; NO ACTUAL SUSPENSION</b>  <input type="checkbox"/> PREVIOUS STIPULATION REJECTED	
Bar # <b>57703</b> In the Matter Of:  <b>W. RONALD SEABOLD</b>  Bar # <b>84712</b>  A Member of the State Bar of California (Respondent)		

**Note: All information required by this form and any additional information which cannot be provided in the space provided, must be set forth in an attachment to this stipulation under specific headings, e.g., "Facts," "Dismissals," "Conclusions of Law," "Supporting Authority," etc.**

**A. Parties' Acknowledgments:**

- (1) Respondent is a member of the State Bar of California, admitted **December 14, 1978**.
- (2) The parties agree to be bound by the factual stipulations contained herein even if conclusions of law or disposition are rejected or changed by the Supreme Court.
- (3) All investigations or proceedings listed by case number in the caption of this stipulation are entirely resolved by this stipulation and are deemed consolidated. Dismissed charge(s)/count(s) are listed under "Dismissals." The stipulation consists of **9** pages, not including the order.
- (4) A statement of acts or omissions acknowledged by Respondent as cause or causes for discipline is included under "Facts."
- (5) Conclusions of law, drawn from and specifically referring to the facts are also included under "Conclusions of Law".

- (6) The parties must include supporting authority for the recommended level of discipline under the heading "Supporting Authority."
- (7) No more than 30 days prior to the filing of this stipulation, Respondent has been advised in writing of any pending investigation/proceeding not resolved by this stipulation, except for criminal investigations.
- (8) Payment of Disciplinary Costs—Respondent acknowledges the provisions of Bus. & Prof. Code §§6086.10 & 6140.7. (Check one option only):
- ☒ costs added to membership fee for calendar year following effective date of discipline.
  - ☐ costs to be paid in equal amounts prior to February 1 for the following membership years:  
(hardship, special circumstances or other good cause per rule 284, Rules of Procedure)
  - ☐ costs waived in part as set forth in a separate attachment entitled "Partial Waiver of Costs"
  - ☐ costs entirely waived

**B. Aggravating Circumstances [for definition, see Standards for Attorney Sanctions for Professional Misconduct, standard 1.2(b)]. Facts supporting aggravating circumstances are required.**

- (1) ☒ **Prior record of discipline** [see standard 1.2(f)]
- (a) ☒ State Bar Court case # of prior case **89-O-16345**
  - (b) ☒ Date prior discipline effective **October 29, 1992**
  - (c) ☒ Rules of Professional Conduct/ State Bar Act violations: **rules 3-110(A), 3-700(A)(2), and 3-700(D)(1); and section 6068(m) of the Business and Professions Code**
  - (d) ☒ Degree of prior discipline **actual suspension for 30 days**
  - (e) ☒ If Respondent has two or more incidents of prior discipline, use space provided below or a separate attachment entitled "Prior Discipline."

**State Bar Court case no. 89-O-16345; discipline effective as of May 27, 1994**  
**Rules of Professional Conduct/ State Bar Act violations: rules 3-110(A) and 3-700(A)(2); and section 6068(m) of the Business and Professions Code**  
**Degree of prior discipline: stayed suspension for 90 days**

- (2) ☐ **Dishonesty:** Respondent's misconduct was surrounded by or followed by bad faith, dishonesty, concealment, overreaching or other violations of the State Bar Act or Rules of Professional Conduct.
- (3) ☐ **Trust Violation:** Trust funds or property were involved and Respondent refused or was unable to account to the client or person who was the object of the misconduct for improper conduct toward said funds or property.
- (4) ☐ **Harm:** Respondent's misconduct harmed significantly a client, the public or the administration of justice.
- (5) ☐ **Indifference:** Respondent demonstrated indifference toward rectification of or atonement for the consequences of his or her misconduct.

- (6) ☐ **Lack of Cooperation:** Respondent displayed a lack of candor and cooperation to victims of his/her misconduct or to the State Bar during disciplinary investigation or proceedings.
- (7) ☐ **Multiple/Pattern of Misconduct:** Respondent's current misconduct evidences multiple acts of wrongdoing or demonstrates a pattern of misconduct.
- (8) ☐ **No aggravating circumstances** are involved.

**Additional aggravating circumstances**

**C. Mitigating Circumstances [see standard 1.2(e)]. Facts supporting mitigating circumstances are required.**

- (1) ☐ **No Prior Discipline:** Respondent has no prior record of discipline over many years of practice coupled with present misconduct which is not deemed serious.
- (2) ☐ **No Harm:** Respondent did not harm the client or person who was the object of the misconduct.
- (3) ☒ **Candor/Cooperation:** Respondent displayed spontaneous candor and cooperation with the victims of his/her misconduct and to the State Bar during disciplinary investigation and proceedings. **See Stipulation Attachment, para. 9.**
- (4) ☐ **Remorse:** Respondent promptly took objective steps spontaneously demonstrating remorse and recognition of the wrongdoing, which steps were designed to timely atone for any consequences of his/her misconduct.
- (5) ☐ **Restitution:** Respondent paid \$ \_\_\_\_\_ on \_\_\_\_\_ in restitution to \_\_\_\_\_ without the threat or force of disciplinary, civil or criminal proceedings.
- (6) ☐ **Delay:** These disciplinary proceedings were excessively delayed. The delay is not attributable to Respondent and the delay prejudiced him/her.
- (7) ☐ **Good Faith:** Respondent acted in good faith.
- (8) ☐ **Emotional/Physical Difficulties:** At the time of the stipulated act or acts of professional misconduct Respondent suffered extreme emotional difficulties or physical disabilities which expert testimony would establish was directly responsible for the misconduct. The difficulties or disabilities were not the product of any illegal conduct by the member, such as illegal drug or substance abuse, and Respondent no longer suffers from such difficulties or disabilities.
- (9) ☐ **Severe Financial Stress:** At the time of the misconduct, Respondent suffered from severe financial stress which resulted from circumstances not reasonably foreseeable or which were beyond his/her control and which were directly responsible for the misconduct.
- (10) ☐ **Family Problems:** At the time of the misconduct, Respondent suffered extreme difficulties in his/her personal life which were other than emotional or physical in nature.
- (11) ☐ **Good Character:** Respondent's good character is attested to by a wide range of references in the legal and general communities who are aware of the full extent of his/her misconduct.
- (12) ☐ **Rehabilitation:** Considerable time has passed since the acts of professional misconduct occurred followed by convincing proof of subsequent rehabilitation.

- (13) ☐ No mitigating circumstances are involved.

**Additional mitigating circumstances**

**D. Discipline:**

- (1) ☒ **Stayed Suspension:**

- (a) ☒ Respondent must be suspended from the practice of law for a period of **one (1) year**.

- i. ☐ and until Respondent shows proof satisfactory to the State Bar Court of rehabilitation and present fitness to practice and present learning and ability in the law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct.
- ii. ☐ and until Respondent pays restitution as set forth in the Financial Conditions form attached to this stipulation.
- iii. ☐ and until Respondent does the following:

The above-referenced suspension is stayed.

- (2) ☒ **Probation:**

Respondent is placed on probation for a period of **two (2) years**, which will commence upon the effective date of the Supreme Court order in this matter. (See rule 9.18 California Rules of Court)

**E. Additional Conditions of Probation:**

- (1) ☒ During the probation period, Respondent must comply with the provisions of the State Bar Act and Rules of Professional Conduct.
- (2) ☒ Within ten (10) days of any change, Respondent must report to the Membership Records Office of the State Bar and to the Office of Probation of the State Bar of California ("Office of Probation"), all changes of information, including current office address and telephone number, or other address for State Bar purposes, as prescribed by section 6002.1 of the Business and Professions Code.
- (3) ☒ Within thirty (30) days from the effective date of discipline, Respondent must contact the Office of Probation and schedule a meeting with Respondent's assigned probation deputy to discuss these terms and conditions of probation. Upon the direction of the Office of Probation, Respondent must meet with the probation deputy either in-person or by telephone. During the period of probation, Respondent must promptly meet with the probation deputy as directed and upon request.
- (4) ☒ Respondent must submit written quarterly reports to the Office of Probation on each January 10, April 10, July 10, and October 10 of the period of probation. Under penalty of perjury, Respondent must state whether Respondent has complied with the State Bar Act, the Rules of Professional Conduct, and all conditions of probation during the preceding calendar quarter. Respondent must also state whether there are any proceedings pending against him or her in the State Bar Court and if so, the case number and current status of that proceeding. If the first report would cover less than 30 days, that report must be submitted on the next quarter date, and cover the extended period.

In addition to all quarterly reports, a final report, containing the same information, is due no earlier than twenty (20) days before the last day of the period of probation and no later than the last day of probation.

- (5) ☐ Respondent must be assigned a probation monitor. Respondent must promptly review the terms and conditions of probation with the probation monitor to establish a manner and schedule of compliance. During the period of probation, Respondent must furnish to the monitor such reports as may be requested, in addition to the quarterly reports required to be submitted to the Office of Probation. Respondent must cooperate fully with the probation monitor.
- (6) ☒ Subject to assertion of applicable privileges, Respondent must answer fully, promptly and truthfully any inquiries of the Office of Probation and any probation monitor assigned under these conditions which are directed to Respondent personally or in writing relating to whether Respondent is complying or has complied with the probation conditions.
- (7) ☒ Within one (1) year of the effective date of the discipline herein, Respondent must provide to the Office of Probation satisfactory proof of attendance at a session of the State Bar Ethics School, and passage of the test given at the end of that session.
- ☐ No Ethics School recommended. Reason: .
- (8) ☐ Respondent must comply with all conditions of probation imposed in the underlying criminal matter and must so declare under penalty of perjury in conjunction with any quarterly report to be filed with the Office of Probation.
- (9) ☐ The following conditions are attached hereto and incorporated:
- |   |   |
|---|---|
| <input type="checkbox"/> Substance Abuse Conditions | <input type="checkbox"/> Law Office Management Conditions |
| <input type="checkbox"/> Medical Conditions         | <input type="checkbox"/> Financial Conditions             |

#### F. Other Conditions Negotiated by the Parties:

- (1) ☒ **Multistate Professional Responsibility Examination:** Respondent must provide proof of passage of the Multistate Professional Responsibility Examination ("MPRE"), administered by the National Conference of Bar Examiners, to the Office of Probation within one year. **Failure to pass the MPRE results in actual suspension without further hearing until passage. But see rule 9.10(b), California Rules of Court, and rule 321(a)(1) & (c), Rules of Procedure.**
- ☐ No MPRE recommended. Reason:
- (2) ☐ **Other Conditions:**

Attachment language (if any):

**ATTACHMENT TO**  
**STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION**

**IN THE MATTER OF:     W. RONALD SEABOLD**

**CASE NO.:                07-O-13469-DFM**

**FACTS**

1.        On September 9, 2006, Respondent was hired by Eli Mellor ("Mellor") to obtain a pardon for his 1982 felony conviction for grand theft. Mellor did not actually qualify for a pardon because he had been residing in Montana for more than one year, and Penal Code section 4852.06 required five years of continuous residence in California immediately prior to filing the petition leading to a pardon.
  
2.        Respondent advised Mellor of the residency problem, but Mellor represented that he was only temporarily out of California, had continued to vote in California, and would provide his permanent address shortly. However, Mellor did not in fact have an address which would qualify as a California residence, and he never provided Respondent with a suitable address.
  
3.        Mellor paid Respondent \$2,000 on September 9, 2006 as a fixed fee for preparing the petition for the pardon. Respondent did not realize at the time that he had entered into a contract which was impossible due to the residency problem.
  
4.        Mellor promised to provide eight letters of reference for the petition, but Respondent did not receive the eighth letter until January 15, 2007.

5. On January 15, 2007, Mellor instructed Respondent to have the petition ready to file by February 22, 2007. On February 8, 2007, Respondent sent Mellor a partially completion petition form, and requested Mellor to fill in the blanks. Among the required additional information was Mellor's address in California.

6. On February 15, 2007, Mellor sent Respondent a letter terminating his services and demanding the return of the \$2,000 and the file. Respondent did not reply to the letter.

7. On April 17, 2007, Mellor sued Respondent in small claims court for a refund of \$2,000 plus \$2,500 for alleged damages due to delay. Respondent did not defend the action. On June 5, 2007, a default judgment was entered against Respondent for \$2,150.00, for a refund of the fees paid and court costs. Respondent did not satisfy the judgment until September 24, 2007.

8. Respondent sent the file to Mellor on May 7, 2007.

9. At all times during the State Bar's investigation of this matter, Respondent and his counsel have cooperated fully with the State Bar. They entered into the present stipulation of all material facts, as requested by the State Bar, and this stipulation makes trial of this matter in State Bar Court unnecessary.

#### **CONCLUSIONS OF LAW:**

1. By delaying from February 15, 2007 until May 7, 2007 to send the client file to Mellor, Respondent willfully failed to promptly release to the client, at the request of the client upon termination of employment, all the client papers and property; and Respondent thereby violated rule 3-700(D)(1) of the Rules of Professional Conduct.

2. By delaying from June 5, 2007 until September 24, 2007 to satisfy the judgment for unearned fees, Respondent willfully failed to promptly refund, upon termination of employment, any part of a fee paid in advance which has not been earned; and Respondent thereby violated rule 3-700(D)(2) of the Rules of Professional Conduct.

**DISMISSALS:**

The State Bar requests dismissal of Counts One, Two, Three, and Four, on the grounds of furtherance of justice. [Rule 262(e)(1).]

**WAIVER OF VARIANCE:**

The parties waive any variance between the Notice of Disciplinary Charges filed on December 2, 2009, and the facts and/or conclusions of law contained in this stipulation. Additionally, the parties waive the issuance of an amended Notice of Disciplinary Charges. The parties further waive the right to the filing of a Notice of Disciplinary Charges and to a formal hearing on any charge not included in the pending Notice of Disciplinary Charges.

**SUPPORTING AUTHORITY:**

General Standard 1.7(a) requires that the degree of discipline imposed after an earlier imposition of discipline shall be greater than that imposed earlier, unless the prior discipline was so remote in time and the offense was so minimal in severity that imposing greater discipline would be manifestly unjust.

The parties agree that both instances of prior discipline qualify both as to remoteness in time and minimal severity so that an actual suspension is not required for the present offenses. Respondent's last discipline was a stayed suspension for 90 days, imposed 16 years ago in 1994, and it followed an actual suspension for 30 days which had been imposed only 19 months earlier in 1992.

**PENDING PROCEEDINGS:**

The disclosure date referred to on page 2, paragraph A.(7), was April 16, 2010.

**COSTS:**

Respondent acknowledges that the Office of the Chief Trial Counsel has informed Respondent that as of April 16, 2010, the estimated prosecution costs in this matter are approximately \$3,654.00. Respondent acknowledges that this figure is an estimate only.

If Respondent fails to pay any installment within the time provided in paragraph A.(8) above or as modified by the State Bar Court pursuant to section 6068.10 (c), the remaining balance of costs will be due and payable immediately and enforceable as a money judgment unless relief is granted under rule 286 of the Rules of Procedure of the State Bar of California.

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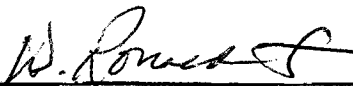
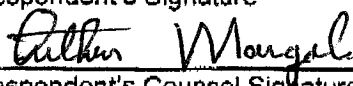
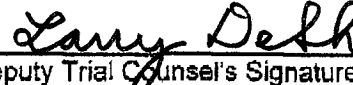


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In the Matter of  W. RONALD SEABOLD	Case number(s):  07-O-13469-RAP-DEM LD
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### SIGNATURE OF THE PARTIES

By their signatures below, the parties and their counsel, as applicable, signify their agreement with each of the recitations and each of the terms and conditions of this Stipulation Re Fact, Conclusions of Law and Disposition.

April 20, 2010 Date	 Respondent's Signature	W. Ronald Seabold Print Name
April 26, 2010 Date	 Respondent's Counsel Signature	Arthur L. Margolis Print Name
April 28, 2010 Date	 Deputy Trial Counsel's Signature	Larry DeSha Print Name

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In the Matter Of  
**W. RONALD SEABOLD**

Case Number(s):  
**97-O-13469-DFM**

## ORDER

Finding the stipulation to be fair to the parties and that it adequately protects the public, IT IS ORDERED that the requested dismissal of counts/charges, if any, is GRANTED without prejudice, and:


- ☐ The stipulated facts and disposition are APPROVED and the DISCIPLINE RECOMMENDED to the Supreme Court.
- ☒ The stipulated facts and disposition are APPROVED AS MODIFIED as set forth below, and the DISCIPLINE IS RECOMMENDED to the Supreme Court.
- ☒ All Hearing dates are vacated.

- 1) On page 2, in section B.(1)(e), "case no. 89-O-16345" is deleted and in its place is inserted "case no. 92-O-17477".

The parties are bound by the stipulation as approved unless: 1) a motion to withdraw or modify the stipulation, filed within 15 days after service of this order, is granted; or 2) this court modifies or further modifies the approved stipulation. (See rule 135(b), Rules of Procedure.) **The effective date of this disposition is the effective date of the Supreme Court order herein, normally 30 days after file date. (See rule 9.18(a), California Rules of Court.)**

Date

5/4/10

  
Richard A. Honn

Judge of the State Bar Court

## CERTIFICATE OF SERVICE

[Rule 62(b), Rules Proc.; Code Civ. Proc., § 1013a(4)]

I am a Case Administrator of the State Bar Court of California. I am over the age of eighteen and not a party to the within proceeding. Pursuant to standard court practice, in the City and County of Los Angeles, on May 4, 2010, I deposited a true copy of the following document(s):

STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND  
ORDER APPROVING

in a sealed envelope for collection and mailing on that date as follows:

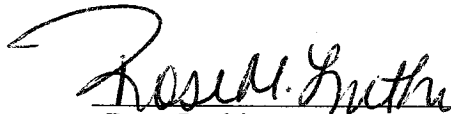
- ☒ by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

ARTHUR LEWIS MARGOLIS, ESQ.  
MARGOLIS & MARGOLIS LLP  
2000 RIVERSIDE DR  
LOS ANGELES, CA 90039

- ☒ by interoffice mail through a facility regularly maintained by the State Bar of California addressed as follows:

LARRY DESHA, ESQ., Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on May 4, 2010.



Rose Luthi  
Case Administrator  
State Bar Court